

**STATE OF TENNESSEE  
Department of Commerce and Insurance  
500 James Robertson Parkway  
Nashville, TN 37243-1131  
PH - 615.532.5260, FX - 615.532.2788  
Jerald.E.Gilbert@tn.gov**

December 19, 2012

Metropolitan Life Insurance Company  
800 S. Gay Street, Ste 2021, % C T Corp.  
Knoxville, TN 37929-9710  
NAIC # 65978

Certified Mail  
Return Receipt Requested  
7012 1010 0003 5428 8916  
Cashier # 6804

Re: Albert P. Pruett, Deceased V. Metropolitan Life Insurance Company

Docket # D 13707

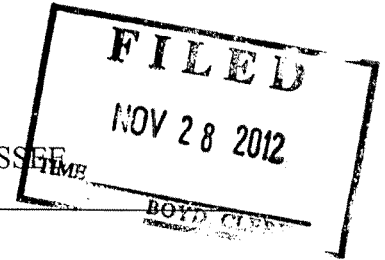
To Whom It May Concern:

Pursuant to Tennessee Code Annotated § 56-2-504 or § 56-2-506, the Department of Commerce and Insurance was served December 18, 2012, on your behalf in connection with the above-styled proceeding. Documentation relating to the subject is herein enclosed.

Jerald E. Gilbert  
Designated Agent  
Service of Process

Enclosures

cc: Probate Court Clerk  
Shelby County  
140 Adams Street, Room 124  
Memphis, Tn 38103



IN THE PROBATE COURT OF SHELBY COUNTY, TENNESSEE

IN THE MATTER OF:

ALBERT P. PRUETT  
Deceased.

NO.:   D 13707    
Division:   1  

PETITION FOR MANDATORY INJUNCTION  
TO REQUIRE METROPOLITAN LIFE, HOLDER OF ASSET  
TO PAY PROCEEDS OF CONTRACT TO ESTATE

Now comes Gerald Harte, Executor, and would show the following:

1. The Last Will and Testament of Albert P. Pruett was admitted to Probate in this Court;
2. The respondent Metropolitan Life Insurance Company maintains offices in the state of Tennessee and does business in the state of Tennessee, and is registered to do business in the state of Tennessee as a foreign corporation;
3. There exists liquid assets in the form of proceeds of a life insurance policy from Metropolitan Life Insurance Company in the amount of approximately \$90,240.00, which are proceeds from the group life insurance policy of the Federal Employees Group which the respondent administers.
4. Demand has been made of Metropolitan Life Insurance Company in the two methods requested by said company.
5. Metropolitan Life Insurance Company has had possession of these documents for over 90 days, but has wilfully and intentionally refused to forward the proceeds to the Executor even though the Executor complied with the procedures outlined by said insurance company.

6. The requested action is in the best interest of the estate and its beneficiaries.

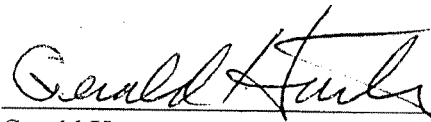
WHEREFORE, the Executor prays that:

1. Proper process issue and that Metropolitan Life Insurance Company be cited to appear herein before this Court and show cause why the Court should not Order the proceeds paid to the Estate immediately;

2. The respondent Metropolitan Life Insurance Company be ordered to turn over to the Estate the proceeds of said policy;

3. The respondent Metropolitan Life Insurance Company pay the Estate for attorney fees incurred, as well as interest on the unpaid proceeds, and court costs incurred.

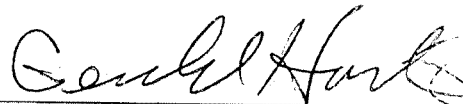
4. For all such other and further relief to which this Honorable Court feels the petitioner to be entitled.



Gerald Harte  
Executor

STATE OF TENNESSEE  
COUNTY OF SHELBY

The above named Executor / petitioner, who, being duly sworn by me, deposes and says that the statements in the foregoing Motion are true to the Movant's knowledge except as to matters therein stated to be on information and belief, and these matters Petitioner believes to be true.

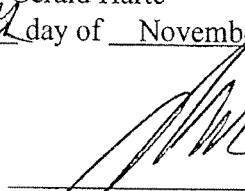
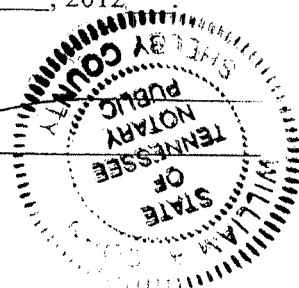


Gerald Harte

Sworn to and subscribed before me this 20th day of November, 2012.

My Commission Expires:

12/14/14

  
Notary Public

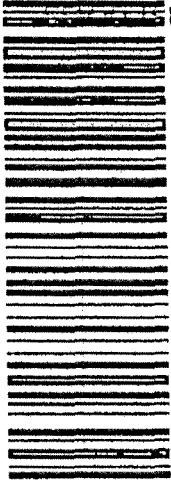
THE COHN LAW FIRM

By: 

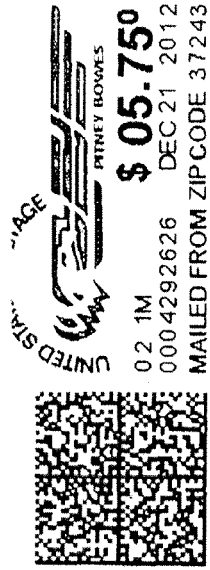
William A. Cohn  
Attorney for Estate  
291 Germantown Bend Cove  
Cordova, Tennessee 38018  
(901)-757-5557  
Tennessee Supreme Court #005873  
Texas Supreme Court #04512980

State of Tennessee  
Department of Commerce & Insurance  
500 James Robertson Parkway  
Financial Affairs - Analytical Unit  
Nashville, TN 37243

**CERTIFIED MAIL™**



7012 1010 0003 5428 8916



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800 S. GAY STREET, STE 2021, % C T CORP.  
KNOXVILLE, TN 37929-9710

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